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ABSTRACT

This document describes an Ethics in Counseling seminar, a competency-based course designed to bring into focus the issues, standards, legal context, and other information that will help prepare licensed counselors for work in today's world. The seminar described includes case examples and scenarios that will facilitate the application of law and principles of theory into practical use. The intent of the course is to present formal material to the student and provide some informal opportunities for discussion and group interaction. A mission statement is included and anticipated program outcomes are discussed. Instructional objectives of the seminar are described and desired student competencies are listed. The major portion of this document contains the Ethics in Counseling seminar materials. Included are a statement of the purpose of the course, a rationale for the course, list of learning outcomes, and description of the seminar framework. A units of instruction section includes an introduction, the five units of the course, and appendices. Also included in the document are a list of recommended readings, references, an assessment of participant mastery, seminar policies, a plan to implement the seminar, a description of follow-up evaluation, and plans for revision of the seminar. (NB)

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ED 364 787

ETHICS IN COUNSELING

by

Thomas C. Hoy

A Continuing Education Seminar Developed
for San Antonio College for Licensed
Professional Counselors

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Forward

This **Ethics in Counseling** seminar is a competency-based course designed to bring into focus the issues, standards, legal context, and other information that will help prepare licensed counselors for work in today's world. This seminar will utilize case examples and scenarios that will facilitate the application of law and principles of theory into practical use. The intent of this course is to present formal material to the student and provide some informal opportunities for discussion and group interaction. This is a seminar in applied ethics.

The benefit students will receive by taking this course include fully completing the three hour requirement for ethics needed for licensure re-authorization, and more importantly, staying up-to-date related to current, ongoing issues involved in professional counseling. It is also important that students provide some evaluative feedback on the effectiveness of this seminar so that this learning opportunity can be improved.

Mission Statement

The San Antonio College Continuing Education

mission statement includes the breadth of focus that will allow the presentation and instruction of an **Ethics in Counseling** seminar, and is stated as follows:

> "The Continuing Education Department of San Antonio College, committed to the concept of lifelong learning, encourages and supports education for students of all ages and needs. Within the framework of the College's philosophy, Continuing Education works with College personnel and other members of the community to develop educational responses to continuing and newly identified needs. Courses and other activities are offered on campus and throughout the community with dates and times arranged for the convenience of students. This programming aims to meet the community's non-traditional educational needs for other than semester-hour credit programs. These needs are as varied and complex as the entities that comprise the community being served by San Antonio College" (Continuing Education Department Catalog, 1992, p.7).

Program Outcomes

It is the intent of the Continuing Education Department to act as a catalyst for upgrading the overall job skills of the workforce in order to prepare individuals for the impact of new and the continuation of current technologies. There is a need to positively influence the practice of professionals who can (1) provide for the societal needs of the citizenry, and (2) carry on future educational growth opportunities for others. Through continuing education the overall level of the workforce can be improved.

It is in the interest of the Texas State Board of

Examiners of Professional Counselors to see that continuing education is used to "maintain and improve the quality of professional services in counseling provided to the public and keep the counselor knowledgeable of current research, techniques, and practice and provide other resources which will improve skill and competence in counseling" (Rules, 1992, p. VI-28).

Instructional Objectives

This seminar is constructed to provide students with practical information needed to make reasonable decisions on ethical questions/issues. The instructional plan is to provide lecture and formal discussion, handouts, informal group activities, and analysis of case scenarios. Additional materials and reference guides will allow the student to continue the study of ethics after the seminar is completed.

It is up to the instructor to calculate the time needed to present, hand out materials, and lead discussion that will provide for a positive educational experience. The instructor should plan some flexibility to make optimal use of the knowledge and experience of the students, and the flow of the class should be tempered by the students needs, learning styles, and areas of interests.

Student Competencies

After completion of this seminar, students will be able to:

Demonstrate knowledge of terminology used in counseling ethics;

Demonstrate an understanding of the current issues related to counseling ethics;

Identify the major legal cases that impact counseling activities;

Demonstrate knowledge of which counseling practices make up the standard of care in Texas; and

Better develop an ability to make reasonable choices in practical counseling situations.

Seminar Title and Description

The title of the seminar is **Ethics in Counseling**. This seminar examines the principles of counseling ethics as required in the standards established by Texas Civil Statutes (Article 4512g). The study will provide an overview of critical issues, cases, and trends in counseling ethics, as well as some ideological platform from which rational decisions can be made in everyday counseling practice.

Preface

Counselors are an important part of the helping professionals and provide needed services in education, industry, research, and society. In an era of

increasing professional specialization, counselors from across the state of Texas are continuing to support the concept of licensure for those who function in this field. A special part of the professional development of this group is the establishment of ethical codes, which can be accepted and utilized as the basis for making ethical decisions.

In recent years, there has been greater emphasis on the client as a consumer in the helping professions. This important change has brought an increase in complaints, accountability, and legal issues. Knowledge of the current trends and the evolvement of ethical issues is a key part of maintaining a counseling practice in Texas and elsewhere. Hopefully, through continued education, counselors will be able to develop a perspective on ethics that will allow them to go beyond the reading of rules/codes and begin to interpret the situations which are uncommon in practice, leading to reasonable ethical decisions.

ETHICS IN COUNSELING

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Sources for Curriculum Model:

Ornstein, A. C., & Hunkins, F. (1993). Curriculum: Foundations, principles, and theory (2nd ed.). Boston, MA: Allyn and Bacon.

Herrscher, B. R. (1992). Curriculum and Program Planning. Fort Lauderdale, FL: Nova University.

ETHICS IN COUNSELING

Purpose

The role of the Licensed Professional Counselor (LPC) in today's society has increased tremendously because of the mounting social problems that are evident. Divorce and marital problems has highlighted the need for marriage and family counseling. Drug and substance abuse has continued to increase creating a greater need for the drug and alcohol counselor to respond. Gangs, teenage pregnancy, and other concerns of our youth have impacted the counselors who work in our school systems. Counselors are called upon to do more than at any other time in our history. Professional counselors are therefore involved in complex issues that require skill, expertise, and knowledge to meet the needs of those served. Counselors should be able to (a) reflect on the needs of society, (b) respond to those needs, and (c) conduct themselves in an ethical manner that has been developed through time and experience. This curriculum on **Ethics in Counseling** is provided to assist counselors in their professional development.

Rationale

Professional fields do not progress without the development of an ethical code of conduct that directs the actions of the workforce. Ethics in counseling is a requirement for licensure re-authorization in Texas and is the epitome of the efforts to provide positive evolution to this professional group. The contents of this seminar are an important part of the ongoing development of counselors.

Learning Outcomes

This seminar on **Ethics in Counseling** was developed to facilitate the following outcomes:

1. increase participant's knowledge of counseling ethics;
2. provide participants with a basis that will allow them to use counseling ethics in professional practice;
3. assist participants in identifying ethical situations and problem-solving methods;
4. assist participants in identifying ethical issues and trends;
5. improve the field of counseling through a greater understanding of ethics; and
6. improve the teaching of ethics through feedback and evaluation.

Seminar Framework

Ethics in Counseling

Three hours of Continuing Education credit

Major Content: issues, legal context, standard of care, definitions, and evaluation.

Learning Activities: lecture, discussion, reading, assessment, group process, additional recommended readings, and case examples/scenarios.

Units of Instruction

"Meno. Can you tell me, Socrates, whether virtue is acquired by teaching or by practice; or if neither by teaching nor practice, then whether it comes to man by nature, or in what other way? . . . .

Socrates. Then, Meno, the conclusion is that virtue comes to the virtuous by divine dispensation. But we shall never know the certain truth until, before asking how virtue is given, we inquire into the actual nature of virtue."

Source: Meno

Introduction

"Moral virtues are habits of choice, said Aristotle. Habits of choice can be formed only by acts of choice. Those acts of choice are made by individuals when they are confronted with alternatives that solicit their response: this versus that apparent good, this apparent good versus that real good; this versus that real good here and now."

Source: Desires Right and Wrong: The Ethics of Enough

This is a three hour seminar on **Ethics in Counseling** covering issues, laws, standards, and additional information needed for practice in Texas. As a competency-based seminar a pretest and posttest will be administered to provide the participants with feedback on their advancement during the session. Learning will include the affective and cognitive domains throughout the activities of the seminar.

Unit 1

This section of the seminar will include a welcome, an overview of the study of ethics, and a presentation of material to the participants. It is important to establish rapport and put the class at ease concerning participation, questions, and dialogue during this section of the seminar. This unit should include the expectations and policies set out by the San Antonio College Continuing Education Department and the Texas State Board of Examiners of Professional Counselors. The time frame for this unit should be approximately 30 minutes.

Objectives. Participants will be able to:

1. define ethics generally, and specifically to the field of counseling;
2. identify general issues related to the study of counseling ethics; and
3. have knowledge of the standard of care according to Texas Civil Statute.

Outline. The following subjects will be covered in this unit:

1. Welcome
   - Introduction
   - Parking and Facilities
   - Course Policies

2. Pretest (see appendix A)

3. Definitions

Ethics- critical reflection on moral behavior

Counseling ethics- "making decisions of a moral nature about people and their interactions in society" (Kitchener, 1986, p. 306).

Ethical standards- (by example as follows)

Codes- American Counseling Association; American Association for Marriage and Family Therapy; National Board for Certified Counselors.

Laws- Rules for Licensed Professional Counselors (Texas Civil Statutes, Article 4512g, as noted in 22 Texas Administrative Code Chapter 681); Ethical Standards for Chemical Dependency Specialists for Licensed Chemical Dependency Counselors (Texas Civil Statutes).

4. Why ethics? Questions to be posed--

Is the welfare of the client first priority?

Is responsibility to society upheld?

Are counseling relationships properly maintained?

Is the counseling field represented professionally?

5. Standard of care (see appendix B)

Rules, established by Texas State Board of Examiners of Professional Counselors, 22 Texas Administrative Code Chapter 681 (Specifically, Subchapter B. The practice of counseling).

Activities. The following activities will be utilized in this unit:

1. Lecture (with overhead transparencies)
2. Discussion
3. Reading (Rules, Subchapter B)
4. Assessment
5. Additional recommended readings (handouts)

Handouts. The following handouts will be distributed for this unit:

1. Pretest
2. Rules (Texas State Board of Examiners of Professional Counselors)
3. Ethical Standards (American Counseling Association)
4. Ethical Standards for Chemical Dependency

Specialists (Texas State Board of Licensed Chemical Dependency Counselors)

5. AAMFT Code of Ethics (American Association for Marriage and Family Therapy)

Unit 2

This portion of the seminar will provide an overview of the court cases, state laws, and trends that impact the current legal context of counseling practice. Introductory remarks should clarify the difference between ethics and law. The time frame for this unit should be approximately 30 minutes.

Objectives. Participants will be able to:

1. identify the major legal cases that influence counseling practice;
2. assess counseling activities that are questionable/suspect in court; and
3. relate legal trends in Texas that are currently being investigated.

Outline. The following subjects will be covered in this unit:

1. Major court cases-

   Tarasoff v. Regents of the University of California;

   Brady v. Hopper;

   Barry v. Turek; and

   Cannon v. Thumudo.

Source: The Power of Privilege

2. Major state laws-

Texas Rule of Evidence 510;

Texas Penal Code Section 22.012;

Vernon's Texas Codes, Mental Health Code, Article 5561h;

Texas Civil Statutes, Article 4512g; and

Vernon's Texas Codes, Report of Child Abuse, Chapter 34.

3. Current legal issues-

Texas Deceptive Trade Practices Act;

Crime Victims Compensation Act;

Texas Attorney General's investigation of the mental health industry.

4. Documentation, court appearance, testimony

Activities. The following activities will be utilized in this unit:

1. Lecture (with overhead transparencies)
2. Discussion
3. Additional recommended readings and handouts

Handouts. The following handouts will be distributed for this unit:

1. The Power of Privilege
2. Everything You Always Wanted to Know About Being an Expert Witness
3. Selected state rules, codes, and statutes

Unit 3

This section of the seminar will provide an overview of the major issues concerning ethics and counseling in Texas. Topics and corresponding case examples will be used for discussion and clarification. The time frame for this unit should be approximately 30 minutes.

Objectives. Participants will be able to:

1. identify some of the major ethical issues facing counselors;
2. relate current issues to personal practice;
3. synthesize data concerning issues whereby reasonable ethical decisions can be made.

Outline. The following subjects will be covered in this unit:

1. Current issues-
   - Confidentiality
   - Record keeping
   - Professional disclosure
   - Informed consent
   - Dual relationships
   - Consultation
   - Duty to warn
   - Client abuse
   - Termination and referral

2. Examples of "Gray Areas"-

   Tarasoff vs. Texas Mental Health Code

   Advertising

Activities. The following activities will be utilized in this unit:

1. Lecture (with overhead transparencies)
2. Tape recording of interview with client who had sexual relations with therapist
3. Discussion
4. Case examples (see appendix C)

   Source: Ethical Standards Casebook
5. Additional recommended readings

Handouts. The following handouts will be distributed for this unit:

1. case examples
2. current issues

----Break---- (approximately 10 minutes)

Unit 4

This part of the seminar will allow the participants an opportunity to assess a series of case scenarios, discuss them in small groups, and provide feedback to the larger class on the results of their findings. Further discussion/lecture will be used to clarify points brought out in the case discussions. The time frame for this unit will be about 60 minutes.

Objectives. Participants will be able to:

1. relate discussed information from the groups to standards of care; and
2. prepare to make logical ethical decisions based on codes of conduct.

Outline. The following subjects will be covered in this unit:

1. Examples by case scenario (see appendix D)
2. Establishing a basis for making reasonable ethical decisions in areas not covered by the standard of care

Activities. The following activities will be utilized in this unit:

1. Group process
2. Discussion
3. Case scenarios
4. Additional recommended readings

Handout. The following handout will be distributed for this unit:

* Case Scenarios

Unit 5

This is the closing section of the seminar where participants can follow up on issues, present questions, discuss anonymous cases they have experienced, and make comments. The posttest will be administered to give feedback to the participants on improvement made of their knowledge concerning counseling ethics. An evaluation will be distributed for formal feedback on the seminar and comments for improvement. Participants will be allowed to sign up for Licensed Professional Counselor credit on state approved forms (attendance). The time frame for this unit should be approximately 30 minutes.

Objective. Participants will be able to:

* synthesize additional data related to ethics in counseling presented through open discussion

Outline. The following subjects will be covered in this unit:

1. Question/answer session
2. Comments
3. Posttest (see appendix A)
4. Evaluation (see appendix E)

Activities. The following activities will be utilized in this unit:

1. Discussion
2. Assessment
3. Additional readings may be suggested
4. Evaluation

Handouts. The following handouts will be distributed for this unit:

1. Posttest
2. Evaluation
3. Sign up sheet for LPC credit

Appendixes

Name: _____ Appendix A

Pre- and Post- Test

"Ethics In Counseling"

1. Define counseling ethics.

2. What is the difference between codes and laws relative to counseling ethics?

3. In Texas, who establishes the "standard of care" for counselors and counseling practice?

4. What is the "right to inform" concept expressed in the conclusion of the Tarasoff v. Regents of the University of California case?

5. When subpoenaed, what are the principle concepts of confidentiality found in the Texas Rule of Evidence 510?

6. What procedure is required when a professional suspects the physical abuse of a child?

7. Under the LPC "standard of care," when is record keeping required and what must be documented?

8. What issue is brought before the ethics review committee more than any other?

9. When client referral is required, what steps should be taken to insure ethical practice?

10. A counselor is responsible for correcting any misrepresentation by other counselors? T or F. Why?

Appendix B

TEXAS STATE BOARD OF EXAMINERS OF PROFESSIONAL COUNSELORS

RULES

Effective Date: January 10, 1990

Texas State Board of Examiners of
Professional Counselors
1100 West 49th Street
Austin, Texas 78756
(512)459-2900

Printed January, 1990
by Texas Department of Health

Subchapter B. The Practice of Counseling.

§681.31. Purpose and scope. 20

(a) The purpose of this subchapter is to implement the provisions of the Act, §6(e)(3), concerning a code of ethics.

(b) The scope of this subchapter establishes standards of professional and ethical conduct required of a counselor.

§681.32. Professional Representation.

(a) A counselor shall not misrepresent any professional qualifications or associations.

(b) A counselor shall not misrepresent any agency or organization by presenting it as having attributes which it does not possess.

(c) A counselor shall not make unreasonable, misleading, deceptive, fraudulent, exaggerated, or unsubstantiated claims about the efficacy of any services.

(d) A counselor shall not encourage or, within the counselor's power, allow a client to hold exaggerated ideas about the efficacy of services provided by the counselor.

§681.33. Relationships with Clients.

(a) A counselor shall make known to a prospective client the important aspects of the professional relationship including fees and arrangements for payment which might affect the client's decision to enter into the relationship..

(b) A counselor shall inform the client of the purposes, goals, techniques, rules of procedure, and limitations that may affect the relationship at or before the time that the counseling relationship is entered.

(c) A counselor shall provide counseling services only in the context of a professional relationship and not by means of newspaper or magazine articles, radio or television programs, mail or means of a similar nature.

(d) No commission or rebate or any other form of remuneration shall be given or received by a counselor for the referral of clients for professional services.

(e) A counselor shall not use relationships with clients to promote, for personal gain or the profit of an agency, commercial enterprises of any kind.

(f) A counselor shall not under normal circumstances be involved in the counseling of family members, intimate friends, close associates, or others whose welfare might be jeopardized by such a dual relationship.

(g) A counselor shall not under normal circumstances offer professional services to a person concurrently receiving counseling assistance from another professional except with the knowledge of the professional.

(h) A counselor shall personally take reasonable action to inform responsible authorities and appropriate individuals in cases where a client's condition indicates a clear and imminent danger to the client or others.

(i) In group counseling settings the counselor shall take reasonable precautions to protect individuals from physical and/or emotional trauma resulting from interaction within the group.

(j) A counselor shall not engage in activities that seek to meet the counselor's personal needs at the expense of a client.

(k) A counselor shall not engage in sexual contact or intimacies with any client or with a person who has been a client within the past two years. A counselor shall not provide counseling services to a person with whom the counselor has had a sexual relationship.

(l) A counselor shall keep accurate records of counseling services to include, but not be limited to, dates of services, types of services, progress or case notes and billing information.

(m) A counselor shall bill clients or third parties for only those services actually rendered or as agreed to by mutual understanding at the beginning of services or as later modified by mutual agreement. Supervisory relationships between a counselor and any other person used by the counselor to provide services to a client shall be clearly explained to the client and shall be so reflected on billing documents.

(n) A counselor shall terminate a professional relationship when it is reasonably clear that the client is not benefiting from it.

§681.34. Testing.

(a) A counselor shall make known to clients the purposes and explicit use to be made of any testing done as a part of a professional relationship.

(b) A counselor shall not appropriate, reproduce, or modify published tests or parts thereof without the acknowledgement and permission of the publisher.

(c) A counselor shall not administer any test without the appropriate training and experience to administer and interpret the test.

(d) A counselor must observe the necessary precautions to maintain the security of any test administered by the counselor or under the counselor's supervision.

§681.35 Drug and Alcohol Use. A counselor shall not abuse the use of alcohol or drugs or use illegal drugs of any kind.

§681.36. Confidentiality.

(a) Communication between a counselor and client and the client's records are confidential under the provisions of Texas Civil Statutes, Article 5561h and other state statutes where such statutes apply to a counselor's practice.

(b) A counselor shall not disclose any communication or record of a client except as provided in Texas Civil Statutes, Article 5561h or other state statutes.

§681.37. Counselors and the Board.

(a) Any person licensed as a counselor is bound by the provisions of the Act and this chapter.

(b) A counselor shall have the responsibility of reporting alleged misrepresentations or violations of this chapter to the board's executive secretary.

(c) A counselor shall keep his or her board file updated by notifying the board of changes of name, highest academic degree granted, address, telephone number, and employment.

(d) The board may ask any applicant for licensure as a counselor or specialty designation whose file contains negative references of substance to come before the board for an interview before the licensure or specialty designation process may proceed.

(e) The board shall consider the failure of a counselor to respond to a request from the board or executive secretary for information or other correspondence as unprofessional conduct and grounds for disciplinary proceedings.

(f) Applicants for licensure or specialty designation shall not use current members of the board as references.

§681.38. Assumed Names.

(a) An individual practice by a counselor may be incorporated in accordance with applicable law.

(b) When an assumed name is used in any practice of counseling, the name of one counselor must be listed in conjunction with the assumed name. An assumed name used by a counselor must not be false, deceptive, or misleading.

§681.39. Display of License Certificate.

(a) A counselor shall display the license certificate and annual renewal certificate issued by the board in a prominent place in the primary location of practice.

(b) An applicant shall not display a license certificate or annual renewal certificate issued by the board which has been xerographically or otherwise reproduced.

(c) A counselor shall not make any alteration on a license certificate or annual renewal certificate issued by the board.

§681.40. Advertising and Announcements.

(a) Information used by a counselor in any advertisement or announcement of services shall not contain information which is false, inaccurate, misleading, incomplete, out of context, or deceptive.

(b) The board imposes no restrictions on advertising by a counselor with regard to the use of any medium, the counselor's personal appearance or the use of his or her personal voice, the size or duration of an advertisement by a counselor, or the use of a trade name.

(c) All advertisements or announcements of counseling services including telephone directory listings by a person licensed by the board shall clearly state the counselor's licensure status by the use of a title such as "Licensed Counselor", or "Licensed Professional Counselor", or L.P.C., or a statement such as "licensed by the Texas State Board of Examiners of Professional Counselors."

(d) A counselor may not claim or advertise a counseling specialty approved by the board unless the qualifications of the specialty have been met by the counselor and the counselor has been approved for the specialty designation by the board.

(e) A counselor shall not include in advertising or announcements any information or any reference to certification in a field outside of counseling or membership in any organization which may be confusing or misleading to the public as to the services or legal recognition of the counselor.

§681.41. Research and Publications.

(a) In research with a human subject, a counselor is responsible for the subject's welfare throughout a project and shall take reasonable precautions so that the subject shall suffer no injurious emotional, physical, or social effects.

(b) A counselor shall confine the use of data obtained from a counseling relationship for the purposes of education and/or research to content that can be disguised to ensure full protection of the identity of the subject client.

(c) When conducting and reporting research, a counselor must give recognition to previous work on the topic as well as observe all copyright laws.

(d) A counselor must give due credit through joint authorship, acknowledgement, footnote statements, or other appropriate means to those who have contributed significantly to the counselor's research and/or publication.

Appendix C

A counseling center at a university has just been assigned the additional functions of providing psychotherapy for students with eating disorders and establishing a suicide prevention program. No one on the staff has specific training in these areas. Therefore, the director appoints a search committee to recruit a counselor with the needed skills.

Counselors complete a weekly report form that identifies numbers and types of counseling contacts, workshops, and classroom presentations given, meetings attended, training activities, and supervision received and provided. The report is used to document counselor performance and to adjust equitably the workload among staff.

The state licensing law requires counselors to get 75 hours of continuing education every 3 years. The director of a counseling agency believes that this requirement will be a strong incentive for staff to look after their own professional development. Therefore, the director does not provide inservice training opportunities.

An elderly client tells his counselor that he was denied a promotion simply because of his age. The counselor becomes convinced that her client has reasonable cause for a complaint. She encourages him to pursue his complaint through normal channels and, ultimately, to consult an attorney.

Source: Ethical Standards Casebook

Appendix D

CASE I:

Student A, a disabled student at ABC College, has received several calls at home from an unknown source who ridicules her about specific personal/medical details related to her disability and an incident of gang rape that occurred five years ago. The unknown source explains that he is watching her at the college. Ms. A complains to the disabled student services office that her medical and psychological reports/verifications have been confidentially violated.

What action should the counselors at this college take?

CASE II:

Student B, a senior in high school, is taking Algebra II. She approaches her counselor and explains that her instructor has made sexual advances toward her after class on two occasions. This is the third such case the counselor has heard about concerning sexual indiscretions with this teacher, but the first time it has been brought directly to her attention.

What action should the counselor take and why?

CASE III:

Client C, a medical assisting student, has met with his counselor on three occasions for personal counseling. In the last session Mr. C relates to the counselor that he is homosexual, positive HIV, but with no symptoms of AIDS. He explains that he lives with another man but has not told him about the HIV confirmation. Client C asks for the counselor to keep this confidential because he is going to join an AIDS support group and tell his roommate the truth.

What steps should the counselor take and why?

CASE IV:

Student D, a ninth grader and gang member, has told his school counselor that his younger brother, a seventh grader, is going to be "jumping in" (initiated) on Friday night. Mr. D wants to know if the counselor, a very popular person with the student body, would like to come and watch the activity/beating.

What should the counselor do?

CASE V:

Client E, a nine year old Mexican-American boy, is being tested. The client seems to have close family ties. At one point in the behavior assessment the counselor asks, "If your mother gave you a dollar and asked you to go to the neighborhood store and get a loaf of bread, would you do it?" "No" was the reply.

What cultural issues should the counselor consider?

CASE VI:

Counselor F has been in private practice for ten years and has decided to transfer all records over to computer files. Mr. F wants to take appropriate steps to protect his clients.

What steps/procedures should he follow?

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Appendix E

E V A L U A T I O N

TOPIC: ETHICS IN COUNSELING

I On a scale of 1-10 kindly rate the session on each of the following:

1 POOR 2 3 BELOW AVERAGE 4 5 AVERAGE 6 7 ABOVE AVERAGE 8 9 EXCELLENT 10

A. Presenter's knowledge of the topic ____

B. Organization of Subject Matter ____

C. Adequate use of visual aids ____

D. Encouragement of student participation ____

E. Quality of handouts ____

F. Response to questions asked ____

G. Overall quality of the presentation ____

II A. What did you like most:_____

_____

B. What did you like least:_____

_____

C. What would you recommend to improve the presentation?_____

_____

_____

D. What difficulties did you encounter in attending these classes?

_____

_____

Recommended Readings

Adler, M. J. (1991). Desires right and wrong: The ethics of enough. New York, NY: MacMillan publishing Company.

American Association for Counseling and Development. (1988). Ethical Standards. Alexandria, VA: AACD.

American Association for Marriage and Family Therapy. (1991). AAMFT Code of Ethics. Washington, DC: AAMFT.

Cormier, L. S., & Hackney, H. (1988). The professional counselor: A process guide to helping. Englewood Cliffs, NJ: Prentice-Hall, Inc.

("Ethics in counseling," 1986). [Special issue]. Journal of Counseling and Development, 65.

Herlihy, B., & Golden, L. (1990). Ethical Standards Casebook (4th ed.). Alexandria, VA: AACD.

Lamps, R., & Johnson, R. P. (1988). School counselors and ethical dilemmas. TACD Journal, 16, 121-124.

Maloff, E. (1992). Everything you always wanted to know about being an expert witness. Dallas, TX: TCA.

Maloff, E. (1992). The Power of Privilege. Dallas, TX: TCA.

May, W. W. (ed.). (1990). Ethics in Higher Education. New York, NY: MacMillian Publishing Company.

National Board of Certified Counselors. (1989). Code of Ethics. Washington, DC: NBCC.

Plato. (1949). Meno. (B. Jowett, Trans.). New York, NY: Bobbs-Merrill Company, Inc.

Stein, R. H. (1990). Ethical issues in counseling. Buffalo, NY: Prometheus Books.

Texas State Board of Examiners of Professional Counselors. (1983). Licensed Professional Counselor Act. (Amended September 1, 1989). Austin, TX: Texas Department of Health.

Texas State Board of Examiners of Professional Counselors. (1990). Rules. Austin, TX: Texas Department of Health.

Texas State Board of Licensed Chemical Dependency Counselors. (1993). Ethical Standards for Chemical Dependency Specialists. Austin, TX: Texas Department of Health.

Vance, N. A., & Loesch, L. C. (1989). Counseling as a profession. Muncie, IN: Accelerated Development Publishers, Inc.

References

Adler, M. J. (1991). Desires right and wrong: The ethics of enough. New York, NY: MacMillian Publishing Company.

Continuing Education Department Catalog. (1992). San Antonio, TX: San Antonio College.

Herlihy, B., & Golden, L. (1990). Ethical Standards Casebook (4th ed.). Alexandria, VA: AACD.

Kitchener, K. S. (1986). Teaching applied ethics in counselor education: An integration of psychological processes and philosophical analysis. Journal of Counseling and Development, 64, 306-310.

Maloff, E. (1992). The power of privilege. Dallas, TX: TCA.

Plato. (1949). Meno. (B. Jowett, Trans.). New York, NY: Bobbs-Merrill Company, Inc.

Texas State Board of Examiners of Professional Counselors. (1990). Rules. Austin, TX: Texas Department of Health.

Assessment of Mastery

Participation in seminars is considered an acceptable format for credit by the Texas State Board of Examiners for Professional Counselors as long as it (1) increases the professional knowledge of the participant, and (2) is conducted by a qualified person. For LPC credit a clock hour means 60 full minutes of attendance and participation.

At San Antonio College, many Continuing Education courses have special attendance requirements, but students are expected to attend all classes. Generally, for Continuing Education credit, a student must have eighty percent attendance or better to receive credit based on mastery. For this seminar on **Ethics in Counseling**, participants must be present at all times in order to receive credit--due to a single meeting time (three hours), and requirements specified by the LPC Board.

Participants who are in attendance, participate in the seminars, and attempt the pretest/posttest are considered to have mastered the course.

Seminar Policies

The following policies will be used to guide the facilitation of the seminar:

1. the environment will be comfortable in order for participants to maximize involvement in the educational opportunities;
2. participants will be respected and used as a resource for discussion of the concepts presented;
3. learning style and/or accommodation will be considered to allow full access by each participant;
4. responsibility for learning will be shared by instructor and participant; and
5. time frames will be used flexibly to maximize the subjects covered.

Plan to Implement

The **Ethics in Counseling** seminar could be implemented in the Continuing Education Department at San Antonio College as early as the Fall semester, 1993. The course is a three hour seminar and could be taught on-campus or off-campus. Day, evening, or weekend sessions could be scheduled to meet the participant's needs. The seminar could be offered every semester, on a quarter basis, or "as needed," depending on adequate enrollment to officially qualify the class under Continuing Education policy (minimum of 10 participants required).

The seminar should be taught by a qualified instructor who is licensed as a Professional Counselor in Texas. Support staff or co-facilitators could be used to cover areas of the seminar that may be unfamiliar to the key presenter (i.e., a lawyer may discuss the legal context portion of the seminar).

Continuation of Evaluation

A follow-up evaluation should be conducted by surveying the participants six months after the completion of the seminar. This information (on the long-term benefits of the course) could be evaluated to assess the value, and document the continued validation, of the seminar. A longitudinal study may require additional data which could be gained through a random sample.

Revision

The evaluations from the seminar sessions, the comments from participants and instructors, and the continuation of evaluation surveys will be used to revise the curriculum as needed to keep the content, activities, and handouts relevant.